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UNITED STATES OF AMERICA
SOUTHERN DISTRICT OF CALIFORNIA

FILED
07 DEC 17 AM 9:47

UNITED STATES OF AMERICA)	**Magistrate's Case No.** '07 MJ 2914
)	
V.S.)	COMPLAINT FOR VIOLATION OF:
)	
Leonardo Rodriguez Garcia)	21 U.S.C. 952 and 960-Importation of a Controlled Substance.
)	

The complainant being duly sworn states:

That on or about December 15, 2007, within the Southern District of California, defendant Leonardo Rodriguez did knowingly and intentionally import approximately 23.55 Kgs. (51.81 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 17th DAY OF December, 2007.

Kristi Smith
Special Agent
Immigration & Customs Enforcement

United States Magistrate Judge
Southern District of California

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PROBABLE CAUSE STATEMENT

I, Special Agent Kristi M. Smith, declare under penalty perjury, the following is true and correct:

On December 15, 2007, at approximately 1105 hours, Leonardo RODRIGUEZ-Garcia attempted to enter the United States from the Republic of Mexico through the San Ysidro Port of Entry. RODRIGUEZ was the driver of a black 1991 Mercedes Benz bearing California license plate 6BQV995.

The vehicle was taken to the secondary inspection area after a pre-primary K-9 alert. A total of 13 packages that weighed 23.55 kilograms were discovered in a non factory compartment built between the gas tank and the rear seat. A sample that was taken from one of the packages field-tested positive for marijuana.

RODRIGUEZ waived his constitutional rights as outlined in Miranda and admitted that he drove the vehicle and had an idea that he was transporting something illegal and that he received $500 dollars as a down payment and was to be paid the remaining $1,000 dollars after he delivered the vehicle.

A records check revealed that RODRIGUEZ has no prior criminal history. RODRIGUEZ was arrested for the unlawful importation of a controlled substance, in violation of Title 21, United States Code, Section 952, 960, and 841(a)(1). He was booked into the Metropolitan Correction Center in San Diego, California. The vehicle and the Marijuana were seized under seizure number 2008250400064001.

K M Smith
Special Agent Kristi M. Smith
Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 1 pages, I find probable cause to believe that the defendant(s) named in this probable cause statement committed the offense on 12/15/07, in violation of Title 21, United States Code, Section(s) 952 & 960.

[signature]
United States Magistrate Judge

12/17/07, 0936hrs
Date/Time